

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RAYE THERESA ZAMMIT,  
Plaintiff(s),

v.

RICHARD SOLOMONS, et al.,  
Defendant(s).

Case No. 2:21-cv-00738-JAD-NJK

**Report and Recommendation**

TANYA RENEE ROBERSON,  
Plaintiff(s),

v.

FRANK GIUNTA,  
Defendant(s).

Case No. 2:21-cv-00740-JAD-NJK

**Report and Recommendation**

AARON JOHN DEVRIES, et al.,  
Plaintiff(s),

v.

JASON MIKKELSEN,  
Defendant(s).

Case No. 2:21-cv-00741-JAD-NJK

**Report and Recommendation**

ALESA LYN HART,  
Plaintiff(s),

v.

DAVID SIMON, et al.,  
Defendant(s).

Case No. 2:21-cv-00742-JAD-NJK

**Report and Recommendation**

1	BAHAELDEEN JACKNOON,	Case No. 2:21-cv-00743-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	FLORENCE J. ARM,	
5	Defendant(s).	
6	ALESA LYN HART,	Case No. 2:21-cv-00744-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	PELICAN PLAZA MANAGEMENT	
10	COMPANY, LLC, et al.,	
11	Defendant(s).	
12	BARBARA J. STRUTHERS,	Case No. 2:21-cv-00745-JAD-NJK
13	Plaintiff(s),	<b>Report and Recommendation</b>
14	v.	
15	MORTON SCHAPIRO, et al.,	
16	Defendant(s).	
17	ALESA LYN HART,	Case No. 2:21-cv-00746-JAD-NJK
18	Plaintiff(s),	<b>Report and Recommendation</b>
19	v.	
20	NATHAN BENDERSON,	
21	Defendant(s).	
22	BECKY BARNES-BOERS,	Case No. 2:21-cv-00747-JAD-NJK
23	Plaintiff(s),	<b>Report and Recommendation</b>
24	v.	
25	FIRST STREET SCHOOL, et al.,	
26	Defendant(s).	
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1 2 3 4 5	ALESA LYNN HART, Plaintiff(s), v. STEPHEN F. LOVELL, Defendant(s).	Case No. 2:21-cv-00748-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	BETTY J. BENNING, Plaintiff(s), v. GARY C. MOHR, et al., Defendant(s).	Case No. 2:21-cv-00749-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	ALESA LYN HART, Plaintiff(s), v. MARY DILLON, et al., Defendant(s).	Case No. 2:21-cv-00750-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20 21	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. RITE AID STORE #10640, MANAGER, et al., Defendant(s).	Case No. 2:21-cv-00751-JAD-NJK <b>Report and Recommendation</b>
22 23 24 25 26 27 28	ALESA LYN HART, Plaintiff(s), v. ARNE SORENSON, et al., Defendant(s).	Case No. 2:21-cv-00752-JAD-NJK <b>Report and Recommendation</b>

1 2 3 4 5	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. MACY'S GENERAL MANAGER, et al., Defendant(s).	Case No. 2:21-cv-00753-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	TENNILLE IRENE HOUSTON, Plaintiff(s), v. BRIAN BEAN, et al., Defendant(s).	Case No. 2:21-cv-00754-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	AMORINE LEWIS, Plaintiff(s), v. ROSSMORE PARK HOA PRESIDENT, et al., Defendant(s).	Case No. 2:21-cv-00755-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20	ELEANOR CLARE D'AMICO, Plaintiff(s), v. U.S. POST OFFICE, MANAGER, et al., Defendant(s).	Case No. 2:21-cv-00756-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	TERESA ANN MCCONNELL, Plaintiff(s), v. TERESA PARKHURST, Defendant(s).	Case No. 2:21-cv-00757-JAD-NJK <b>Report and Recommendation</b>

1 2 3 4 5	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. BED, BATH & BEYOND, et al., Defendant(s).	Case No. 2:21-cv-00758-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	TERRI JAYNE READ, Plaintiff(s), v. HOLIDAY INN CLUB VACATIONS, et al., Defendant(s).	Case No. 2:21-cv-00759-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. HUNTINGTON HOSPITAL, et al., Defendant(s).	Case No. 2:21-cv-00760-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20	AMY DEANNA HOOD, Plaintiff(s), v. JOHN C. MALONE, et al., Defendant(s).	Case No. 2:21-cv-00761-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	ELEANOR CLARE D'AMICO, Plaintiff(s), v. WALT WHITMAN SHOPS, et al., Defendant(s).	Case No. 2:21-cv-00762-JAD-NJK <b>Report and Recommendation</b>

1	THOMAS K. BEADLING,	Case No. 2:21-cv-00763-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	JENNIFER CUTHBERT, et al.,	
5	Defendant(s).	
6	ANDY SEEMAN,	Case No. 2:21-cv-00764-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	MATTHEW JOBLON, et al.,	
10	Defendant(s).	
11	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00766-JAD-NJK
12	Plaintiff(s),	<b>Report and Recommendation</b>
13	v.	
14	COSTCO WHOLESALE, et al.,	
15	Defendant(s).	
16	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00767-JAD-NJK
17	Plaintiff(s),	<b>Report and Recommendation</b>
18	v.	
19	THE HOME DEPOT, et al.,	
20	Defendant(s).	
21	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00769-JAD-NJK
22	Plaintiff(s),	<b>Report and Recommendation</b>
23	v.	
24	STOP & SHOP, et al.,	
25	Defendant(s).	
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1 2 3 4 5	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. STAPLES, et al., Defendant(s).	Case No. 2:21-cv-00771-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	T.R.J., et al., Plaintiff(s), v. MR. ANDREY KRUGLYKIN, et al., Defendant(s).	Case No. 2:21-cv-00772-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	ANNE ELIZABETH FERRANTE, Plaintiff(s), v. SC INVESTMENTS LAS VEGAS INC., et al., Defendant(s).	Case No. 2:21-cv-00774-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20	C.C.H., et al., Plaintiff(s), v. DELLCOR MANAGEMENT, INC., Defendant(s).	Case No. 2:21-cv-00775-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	JENNIFER C. MUELLER, Plaintiff(s), v. TERRY MANUEL, et al., Defendant(s).	Case No. 2:21-cv-00776-JAD-NJK <b>Report and Recommendation</b>

1	ANTHONY JOHN AMORELLO,	Case No. 2:21-cv-00777-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	DOUGLAS A. KESSLER, et al.,	
5	Defendant(s).	
6	TRICHELE REESE,	Case No. 2:21-cv-00778-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	TISHMAN SPEYER PROPERTIES, LP, et	
10	al.,	
11	Defendant(s).	
12	JOHN DONALD MESZAROS, et al.,	Case No. 2:21-cv-00779-JAD-NJK
13	Plaintiff(s),	<b>Report and Recommendation</b>
14	v.	
15	INTERVAL INTERNATIONAL, INC., et al.,	
16	Defendant(s).	
17	VALERIE BATCHELOR, et al.,	Case No. 2:21-cv-00780-JAD-NJK
18	Plaintiff(s),	<b>Report and Recommendation</b>
19	v.	
20	CHRISTOPHER J. NASSETTA, et al.,	
21	Defendant(s).	
22	CAROL A. WILLIAMS,	Case No. 2:21-cv-00781-JAD-NJK
23	Plaintiff(s),	<b>Report and Recommendation</b>
24	v.	
25	EXTENDED STAY OF AMERICA	
26	ATLANTA MANAGER, et al.,	
27	Defendant(s).	
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1	JOHN SMITH WILLIAMS,	Case No. 2:21-cv-00782-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	MICHAEL W. BRYANT,	
5	Defendant(s).	
6	WILLIAM FREDERICK SAAR,	Case No. 2:21-cv-00783-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	STEVEN B. TANGER, et al.,	
10	Defendant(s).	
11	JUDY KAY KATZ,	Case No. 2:21-cv-00784-JAD-NJK
12	Plaintiff(s),	<b>Report and Recommendation</b>
13	v.	
14	MOLINE POST OFFICE POSTMASTER, et	
15	al.,	
16	Defendant(s).	
17	JULIE SIKORSKY,	Case No. 2:21-cv-00785-JAD-NJK
18	Plaintiff(s),	<b>Report and Recommendation</b>
19	v.	
20	DAVID JEFFREY, et al.,	
21	Defendant(s).	
22	JASON CLARK,	Case No. 2:21-cv-00786-JAD-NJK
23	Plaintiff(s),	<b>Report and Recommendation</b>
24	v.	
25	MOTORWORLD AUTOMOTIVE GROUP,	
26	INC., et al.,	
27	Defendant(s).	
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1	JAMES MARTIN WOLF,	Case No. 2:21-cv-00789-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	RICHARD SOLOMONS, et al.,	
5	Defendant(s).	
6	JAN SNELL HOUSTON,	Case No. 2:21-cv-00790-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	WALMART SUPERCENTER MANAGER,	
10	et al.,	
11	Defendant(s).	
12	JAN SNELL HOUSTON,	Case No. 2:21-cv-00791-JAD-NJK
13	Plaintiff(s),	<b>Report and Recommendation</b>
14	v.	
15	DEKALB REGIONAL MEDICAL	
16	CENTER, et al.,	
17	Defendant(s).	
18	JANET J. MCALISTER,	Case No. 2:21-cv-00792-JAD-NJK
19	Plaintiff(s),	<b>Report and Recommendation</b>
20	v.	
21	JACK MILLER, et al.,	
22	Defendant(s).	
23	JANETTE PIRIE,	Case No. 2:21-cv-00793-JAD-NJK
24	Plaintiff(s),	<b>Report and Recommendation</b>
25	v.	
26	DRD HOSPITALITY, INC., et al.,	
27	Defendant(s).	
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1 2 3 4 5	JASON CLARK, Plaintiff(s), v. JOHN LILLY, M.D., et al., Defendant(s).	Case No. 2:21-cv-00794-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	JASON CLARK, Plaintiff(s), v. PAUL J. WITT, Defendant(s).	Case No. 2:21-cv-00795-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. TARGET HUNTINGTON MANAGER, et al., Defendant(s).	Case No. 2:21-cv-00796-APG-NJK <b>Report and Recommendation</b>
16 17 18 19 20	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. KETEWOMOKE YACHT CLUB, Defendant(s).	Case No. 2:21-cv-00797-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. TOWN OF HUNTINGTON, NY, et al., Defendant(s).	Case No. 2:21-cv-00798-JAD-NJK <b>Report and Recommendation</b>

1 2 3 4 5	ELEANOR CLARE D'AMICO, Plaintiff(s), v. KMART STORE #9381 MANAGER, et al., Defendant(s).	Case No. 2:21-cv-00800-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	HEATHER RENEE NANCE, Plaintiff(s), v. DAVE KING, et al., Defendant(s).	Case No. 2:21-cv-00801-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	HEATHER RENEE NANCE, Plaintiff(s), v. STEPHEN P. JOYCE, et al., Defendant(s).	Case No. 2:21-cv-00802-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20	DEBRA L. HUGHSON, Plaintiff(s), v. DAVID KONG, et al., Defendant(s).	Case No. 2:21-cv-00803-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	DENNIS J. TROCCIOLA, Plaintiff(s), v. PRC GROUP, et al., Defendant(s).	Case No. 2:21-cv-00804-JAD-NJK <b>Report and Recommendation</b>

1	DIANE QUACKENBUSH,	Case No. 2:21-cv-00805-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	JOEY DECUFFA, et al.,	
5	Defendant(s).	
6	DOMINIC L. MAZZONE, JR.,	Case No. 2:21-cv-00806-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	JANET MOLLEN, et al.,	
10	Defendant(s).	
11	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00807-JAD-NJK
12	Plaintiff(s),	<b>Report and Recommendation</b>
13	v.	
14	KING KULLEN GENERAL MANAGER, et	
15	al.,	
16	Defendant(s).	
17	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00808-JAD-NJK
18	Plaintiff(s),	<b>Report and Recommendation</b>
19	v.	
20	PRIME RESTAURANT MANAGER, et al.,	
21	Defendant(s).	
22	COREY ADAM HANSON,	Case No. 2:21-cv-00809-JAD-NJK
23	Plaintiff(s),	<b>Report and Recommendation</b>
24	v.	
25	MICHAEL BRINDSI, et al.,	
26	Defendant(s).	
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1 2 3 4 5	CHRISTINA EARHEART, Plaintiff(s), v. RICHARD SOLOMONS, Defendant(s).	Case No. 2:21-cv-00810-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	GARTH A. LEONARD, Plaintiff(s), v. U.S. POSTAL SERVICES POSTMASTER, et al., Defendant(s).	Case No. 2:21-cv-00811-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	CYNTHIA GATES, Plaintiff(s), v. WAYNE B. GOLDBERG, et al., Defendant(s).	Case No. 2:21-cv-00812-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20	GINA B. WILLIAMS, Plaintiff(s), v. ALEX C. CABANAS, et al., Defendant(s).	Case No. 2:21-cv-00813-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	CYNTHIA GATES, Plaintiff(s), v. CARNIVAL CORPORATION & PLC, et al., Defendant(s).	Case No. 2:21-cv-00814-JAD-NJK <b>Report and Recommendation</b>

1 DALE AUSTIN STOPP, 2 Plaintiff(s), 3 v. 4 ANDY FOLEY, 5 Defendant(s).	Case No. 2:21-cv-00815-JAD-NJK <b>Report and Recommendation</b>
6 DAVID ALAN FIELDSEND, 7 Plaintiff(s), 8 v. 9 LA QUINTA HOLDINGS, et al., 10 Defendant(s).	Case No. 2:21-cv-00816-JAD-NJK <b>Report and Recommendation</b>
11 DAVID J. WHITE, 12 Plaintiff(s), 13 v. 14 MICHEL T. REYNOLDS, et al., 15 Defendant(s).	Case No. 2:21-cv-00817-JAD-NJK <b>Report and Recommendation</b>
16 DAVID HIGGINBOTHAM, 17 Plaintiff(s), 18 v. 19 FEDEX CORPORATION, et al., 20 Defendant(s).	Case No. 2:21-cv-00818-JAD-NJK <b>Report and Recommendation</b>
21 DAVID HIGGINBOTHAM, 22 Plaintiff(s), 23 v. 24 CAROL Z. GARRISON, et al., 25 Defendant(s).	Case No. 2:21-cv-00819-JAD-NJK <b>Report and Recommendation</b>

1	DAVID HIGGINBOTHAM,	Case No. 2:21-cv-00820-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	BIRMINGHAM CITY HALL, et al.,	
5	Defendant(s).	
6	KATHERINE MARY TROTTIER,	Case No. 2:21-cv-00821-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	DAVID J.G. BLACKMORE, et al.,	
10	Defendant(s).	
11	KATHERINE MARY TROTTIER,	Case No. 2:21-cv-00823-JAD-NJK
12	Plaintiff(s),	<b>Report and Recommendation</b>
13	v.	
14	STEVE EASTERBROOK, et al.,	
15	Defendant(s).	
16	KELLY-ANN LARSON,	Case No. 2:21-cv-00824-JAD-NJK
17	Plaintiff(s),	<b>Report and Recommendation</b>
18	v.	
19	TRIPLE FIVE GROUP GHERMEZIAN	
20	BROTHERS,	
21	Defendant(s).	
22	KENNETH M. MERONEY,	Case No. 2:21-cv-00825-JAD-NJK
23	Plaintiff(s),	<b>Report and Recommendation</b>
24	v.	
25	CHRISTOPHER J. NASSETTA, et al.,	
26	Defendant(s).	
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1 2 3 4 5	KENNETH MERONY, Plaintiff(s), v. CHRISTOPHER J. NASSETTA, et al., Defendant(s).	Case No. 2:21-cv-00826-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	KRISTEN RICHMOND, Plaintiff(s), v. VALLEY VIEW ELEMENTARY SCHOOL, Defendant(s).	Case No. 2:21-cv-00827-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	LAURA BARTEL, Plaintiff(s), v. CHOICE HOTELS INTERNATIONAL, INC., et al., Defendant(s).	Case No. 2:21-cv-00828-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20 21	LAURA BARTEL, Plaintiff(s), v. BEST WESTERN CORPORATE OFFICE AND HEADQUARTERS, et al., Defendant(s).	Case No. 2:21-cv-00829-JAD-NJK <b>Report and Recommendation</b>
22 23 24 25 26 27 28	LAURA BARTEL, Plaintiff(s), v. WYNDHAM WORLDWIDE CORPORATION, et al., Defendant(s).	Case No. 2:21-cv-00830-JAD-NJK <b>Report and Recommendation</b>

1	LAURA BARTEL,	Case No. 2:21-cv-00832-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	LA QUINTA HOLDINGS, et al.,	
5	Defendant(s).	
6	LAURA BETA GRABER,	Case No. 2:21-cv-00833-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	U.S. POSTAL SERVICES, POSTMASTER	
10	GENERAL, et al.,	
11	Defendant(s).	
12	LAURA XIRENA GONZALEZ,	Case No. 2:21-cv-00834-JAD-NJK
13	Plaintiff(s),	<b>Report and Recommendation</b>
14	v.	
15	DANNY GUTIERREZ, SR., et al.,	
16	Defendant(s).	
17	LAURALEE TYLER,	Case No. 2:21-cv-00836-JAD-NJK
18	Plaintiff(s),	<b>Report and Recommendation</b>
19	v.	
20	BEAR MOUNTAIN STATE PARK, et al.,	
21	Defendant(s).	
22	LINDA SUE WITTUM,	Case No. 2:21-cv-00838-JAD-NJK
23	Plaintiff(s),	<b>Report and Recommendation</b>
24	v.	
25	TRAVIS JANTZEN, et al.,	
26	Defendant(s).	
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1	LINK J. CHANEY,	Case No. 2:21-cv-00840-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	JIMMY HENSON,	
5	Defendant(s).	
6	LUCRECIA PEREZ,	Case No. 2:21-cv-00841-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	STUART D. GOLDSTEIN, et al.,	
10	Defendant(s).	
11	MARK ALLAN UNTERSCHER,	Case No. 2:21-cv-00842-JAD-NJK
12	Plaintiff(s),	<b>Report and Recommendation</b>
13	v.	
14	STEPHEN P. HOLMES, et al.,	
15	Defendant(s).	
16	MARK ALLAN UNTERSEHER,	Case No. 2:21-cv-00845-JAD-NJK
17	Plaintiff(s),	<b>Report and Recommendation</b>
18	v.	
19	HOLIDAY INN CLUB VACATIONS, et al.,	
20	Defendant(s).	
21	MARLA DEWALT SUMMEY,	Case No. 2:21-cv-00846-JAD-NJK
22	Plaintiff(s),	<b>Report and Recommendation</b>
23	v.	
24	ST. PAUL'S EPISCOPAL SCHOOL	
25	BOARD CHAIRMAN AND SCHOOL	
26	RECTOR, et al.,	
27	Defendant(s).	
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1 2 3 4 5	MARLA DEWALT SUMMEY, Plaintiff(s), v. TAMMY WEBB, et al., Defendant(s).	Case No. 2:21-cv-00847-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	MARY BETH ENGLUND, Plaintiff(s), v. KARYN HUEMOELLER, et al., Defendant(s).	Case No. 2:21-cv-00849-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	PATRICK CHARLES PARKER, Plaintiff(s), v. JOHN ADAMS, et al., Defendant(s).	Case No. 2:21-cv-00850-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20	PAUL ALLEN TAYLOR, Plaintiff(s), v. GENE IMEL, et al., Defendant(s).	Case No. 2:21-cv-00851-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	MARYANNE CHRISTINA PIENTA, Plaintiff(s), v. ANTHONY CLARK, et al., Defendant(s).	Case No. 2:21-cv-00852-JAD-NJK <b>Report and Recommendation</b>

1 2 3 4 5	PAUL JAMES CAPASSO, Plaintiff(s), v. CHRIS ROUSSOS, et al., Defendant(s).	Case No. 2:21-cv-00853-JAD-NJK <b>Report and Recommendation</b>
6 7 8 9 10	PAULINE VICTORIA AUGHE, Plaintiff(s), v. ALBERT JEYTE, et al., Defendant(s).	Case No. 2:21-cv-00854-JAD-NJK <b>Report and Recommendation</b>
11 12 13 14 15	RICK SCHUSSLER, Plaintiff(s), v. STONEPINE HOA PRESIDENT, et al., Defendant(s).	Case No. 2:21-cv-00855-JAD-NJK <b>Report and Recommendation</b>
16 17 18 19 20	ROBERT J. GARLOW, Plaintiff(s), v. RICHARD M. BRACKEN, et al., Defendant(s).	Case No. 2:21-cv-00856-JAD-NJK <b>Report and Recommendation</b>
21 22 23 24 25 26 27 28	CONNIE CARR, Plaintiff(s), v. BERKLEY SOUTH CONDOMINIUM ASSOCIATION, INC., et al., Defendant(s).	Case No. 2:21-cv-00857-JAD-NJK <b>Report and Recommendation</b>

1	ROBERT WESLEY HENDERSON,	Case No. 2:21-cv-00858-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	CRAIG M. NASH, et al.,	
5	Defendant(s).	
6	ROBIN FLYNN,	Case No. 2:21-cv-00859-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	JOHN Z. KUKRAL, et al.,	
10	Defendant(s).	
11	RONALD LEE PENDLETON,	Case No. 2:21-cv-00860-JAD-NJK
12	Plaintiff(s),	<b>Report and Recommendation</b>
13	v.	
14	BIGLARI HOLDINGS, et al.,	
15	Defendant(s).	
16	MARY LOU MATHIS,	Case No. 2:21-cv-00861-JAD-NJK
17	Plaintiff(s),	<b>Report and Recommendation</b>
18	v.	
19	PAUL ALLEN, et al.,	
20	Defendant(s).	
21	MELINDA DIANE SCOTT,	Case No. 2:21-cv-00862-JAD-NJK
22	Plaintiff(s),	<b>Report and Recommendation</b>
23	v.	
24	ANNA LINNEY,	
25	Defendant(s).	
26		
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28		

1 ROSEMARY RAMIREZ, 2 Plaintiff(s), 3 v. 4 LA CAZE DEVELOPMENT COMPANY, 5 LLC, et al., 6 Defendant(s).	Case No. 2:21-cv-00863-JAD-NJK <b>Report and Recommendation</b>
7 CHARY LYNN HELTON, 8 Plaintiff(s), 9 v. 10 MICHAEL JENSEN-SILVA, et al., 11 Defendant(s).	Case No. 2:21-cv-00864-JAD-NJK <b>Report and Recommendation</b>
12 MELISSA COFFEY, 13 Plaintiff(s), 14 v. 15 AVA TOLUCA HILLS APARTMENTS, 16 Defendant(s).	Case No. 2:21-cv-00865-JAD-NJK <b>Report and Recommendation</b>
17 CECIL E. BROWN, 18 Plaintiff(s), 19 v. 20 BAL HARBOUR CHATEAUX 21 CONDOMINIUM ASSOCIATION, INC., et 22 al., 23 Defendant(s).	Case No. 2:21-cv-00866-JAD-NJK <b>Report and Recommendation</b>
24 CONNIE S. YUNA, et al., 25 Plaintiff(s), 26 v. 27 CAPITAL RESORTS OCEAN VIEW 28 VACATION VILLAS, et al., Defendant(s).	Case No. 2:21-cv-00867-JAD-NJK <b>Report and Recommendation</b>

1 2 3 4 5 6	MICHAEL C. LUCAS, Plaintiff(s), v. JEFFERSON COUNTY PUBLIC LIBRARY, et al., Defendant(s).	Case No. 2:21-cv-00868-JAD-NJK <b>Report and Recommendation</b>
7 8 9 10 11	NANCY HENDLER, Plaintiff(s), v. ANDREW ALEXANDER, et al., Defendant(s).	Case No. 2:21-cv-00869-JAD-NJK <b>Report and Recommendation</b>
12 13 14 15 16	NANCY HENDLER, Plaintiff(s), v. WAL-MART STORES, INC., et al., Defendant(s).	Case No. 2:21-cv-00870-JAD-NJK <b>Report and Recommendation</b>
17 18 19 20 21	MICHAEL W. PARKS, Plaintiff(s), v. PATRICK H. HAMILL, et al., Defendant(s).	Case No. 2:21-cv-00871-JAD-NJK <b>Report and Recommendation</b>
22 23 24 25 26 27 28	NANCY HENDLER, Plaintiff(s), v. GATOR TOWN INN, Defendant(s).	Case No. 2:21-cv-00872-JAD-NJK <b>Report and Recommendation</b>



1	MISTIE CORDES RODES,	Case No. 2:21-cv-00873-JAD-NJK
2	Plaintiff(s),	<b>Report and Recommendation</b>
3	v.	
4	DORIS VOITIER, et al.,	
5	Defendant(s).	
6	PATRICIA BRANDON,	Case No. 2:21-cv-00874-JAD-NJK
7	Plaintiff(s),	<b>Report and Recommendation</b>
8	v.	
9	INTERCONTINENTAL HOTELS GROUP	
10	(IHG), et al.,	
11	Defendant(s).	
12	PATRICIA BRANDON,	Case No. 2:21-cv-00875-JAD-NJK
13	Plaintiff(s),	<b>Report and Recommendation</b>
14	v.	
15	SASSY HENRY, et al.,	
16	Defendant(s).	
17	MITCHELL E. NIHART SR.,	Case No. 2:21-cv-00876-JAD-NJK
18	Plaintiff(s),	<b>Report and Recommendation</b>
19	v.	
20	INDIANA BUREAU OF MOTOR	
21	VEHICLES, et al.,	
22	Defendant(s).	
23	SUSAN BRANDWEIN,	Case No. 2:21-cv-00877-JAD-NJK
24	Plaintiff(s),	<b>Report and Recommendation</b>
25	v.	
26	MEGAN J. BRENNAN, et al.,	
27	Defendant(s).	
28		

1 STEVEN WAYNE SWEDBERG, 2 Plaintiff(s), 3 v. 4 KEITH E. SMITH, et al., 5 Defendant(s).	Case No. 2:21-cv-00878-JAD-NJK <b>Report and Recommendation</b>
6 SHELLEY MICHELLE WRIGHT, 7 Plaintiff(s), 8 v. 9 MARK B. ROSENBERG, et al., 10 Defendant(s).	Case No. 2:21-cv-00879-JAD-NJK <b>Report and Recommendation</b>
11 MITCHELL J. OELLRICH, 12 Plaintiff(s), 13 v. 14 SIX FLAGS DISCOVERY KINGDOM, 15 Defendant(s).	Case No. 2:21-cv-00880-JAD-NJK <b>Report and Recommendation</b>
16 SHELDON L. KRESLER, et al., 17 Plaintiff(s), 18 v. 19 POMPAO ATLANTIS CONDOMINIUM 20 ASSOCIATION, INC., et al., 21 Defendant(s).	Case No. 2:21-cv-00881-JAD-NJK <b>Report and Recommendation</b>
22 SHARON L. TOWNSEND, 23 Plaintiff(s), 24 v. 25 BRUCE A. CORDINGLEY, et al., 26 Defendant(s). 27 28	Case No. 2:21-cv-00882-JAD-NJK <b>Report and Recommendation</b>

1 ROSEMARY SALES, 2 Plaintiff(s), 3 v. 4 BLACKSTONE GROUP, L.P., et al., 5 Defendant(s).	Case No. 2:21-cv-00883-JAD-NJK <b>Report and Recommendation</b>
6 MITCHELL J. OELLRICH, 7 Plaintiff(s), 8 v. 9 SILVER SMOKE AND LIQUOR STORE, 10 Defendant(s).	Case No. 2:21-cv-00884-JAD-NJK <b>Report and Recommendation</b>
11 SCOTT D. CHAFFEE, 12 Plaintiff(s), 13 v. 14 THE BLACKSTONE GROUP L.P., et al., 15 Defendant(s).	Case No. 2:21-cv-00886-JAD-NJK <b>Report and Recommendation</b>
16 STEVEN WAYNE SWEDBERG, 17 Plaintiff(s), 18 v. 19 IRWIN MOLASKY, et al., 20 Defendant(s).	Case No. 2:21-cv-00887-JAD-NJK <b>Report and Recommendation</b>
21 SIMONE C. DUVEN, 22 Plaintiff(s), 23 v. 24 CRAIG M. NASH, et al., 25 Defendant(s).	Case No. 2:21-cv-00888-JAD-NJK <b>Report and Recommendation</b>

1 JAMES MARTIN WOLF,

2 Plaintiff(s),

3 v.

4 RICHARD SOLOMONS, et al.,

5 Defendant(s).

Case No. 2:21-cv-00895-JAD-NJK

**Report and Recommendation**

6 This is one of 140 cases initiated by Hank Falstad, who identifies himself as an ADA  
7 architect. In its order dated May 7, 2021, the Court required Plaintiff to take action should Plaintiff  
8 wish to continue with the litigation. In particular, Plaintiff was required to file an amended  
9 complaint properly signed either by Plaintiff or by a licensed attorney. In addition, Plaintiff was  
10 required to either pay the filing fee or file an application to proceed *in forma pauperis*. The  
11 deadline for compliance was set at June 7, 2021. The Court warned that failure to comply with  
12 that order may result in dismissal of the case. To date, Plaintiff has not complied with these  
13 requirements.

14 The Federal Rules of Civil Procedure mandate that a complaint initiating a case must be  
15 signed by the plaintiff herself or by her attorney. Fed. R. Civ. P. 11(a). “The court must strike an  
16 unsigned paper unless the omission is promptly corrected after being called to the attorney’s or  
17 party’s attention.” *Id.* Moreover, initiating a federal lawsuit generally requires the payment of a  
18 filing fee. *See* 28 U.S.C. § 1914(a). To the extent a plaintiff cannot afford to pay the filing fee,  
19 she must file an application to proceed *in forma pauperis*. *See* 28 U.S.C. § 1915(a). When a  
20 plaintiff does not pay the filing fee or file an application to proceed *in forma pauperis*, the case  
21 may be dismissed. *See, e.g., Desai v. Biden*, 2021 WL 38169, at \*1 (E.D. Cal. Jan. 5, 2021),  
22 *adopted*, 2021 WL 276236 (E.D. Cal. Jan. 27, 2021).

23 As noted above, there is not a properly signed complaint in this case and that defect has  
24 not been cured despite an opportunity to do so. Moreover, Plaintiff has not paid the filing fee or  
25 filed an application to proceed *in forma pauperis*.

26 The undersigned finds that dismissal without prejudice is appropriate under the  
27 circumstances. A Court may dismiss an action based on a party’s failure to prosecute her case or  
28 obey an order. *See, e.g., Ferdik v. Bonzelet*, 963 F.2d 1258, 1260–61 (9th Cir. 1992); *Malone v.*

1 *U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987); *Henderson v. Duncan*, 779 F.2d 1421,  
 2 1424 (9th Cir. 1986). In determining whether to dismiss an action on one of these grounds, the  
 3 Court must consider: (1) the public's interest in expeditious resolution of litigation; (2) the Court's  
 4 need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring  
 5 disposition of cases on their merits; and (5) the availability of less drastic alternatives. *E.g., Ferdik*,  
 6 963 F.2d at 1260–61.

7 These factors weigh in favor of dismissal here. The first two factors, the public's interest  
 8 in expeditiously resolving this litigation and the Court's interest in managing its docket, weigh in  
 9 favor of dismissal. The third factor, risk of prejudice to Defendants, also weighs in favor of  
 10 dismissal because a presumption of injury arises from the occurrence of unreasonable delay in  
 11 filing a pleading ordered by the court or prosecuting an action. *See Anderson v. Air West*, 542 F.2d  
 12 522, 524 (9th Cir. 1976). A Court's warning to a party that its failure to obey an order will result  
 13 in dismissal satisfies the fifth factor's "consideration of alternatives" requirement, *see, e.g., Ferdik*,  
 14 963 F.2d at 1262, and that warning was given here. The fourth factor, the public policy favoring  
 15 disposition of cases on their merits, is greatly outweighed by the factors favoring dismissal.

16 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without  
 17 prejudice.

18 Dated: August 3, 2021

19   
 20 \_\_\_\_\_  
 Nancy J. Koppe  
 United States Magistrate Judge

### 21 **NOTICE**

22 This report and recommendation is submitted to the United States District Judge assigned  
 23 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and  
 24 recommendation must file a written objection supported by points and authorities within fourteen  
 25 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file  
 26 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951  
 27 F.2d 1153, 1157 (9th Cir. 1991).  
 28